



DOCKET NO. TOS-12 USA C

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
M. EGAWA, et al.

Serial No.: 09/478,882

Art Unit 1615

Filed: November 23, 1998

Examiner: A. Berman

For: Composition For External Use For Prevention Of Environmental Stress

RESPONSE TO RESTRICTION REQUIREMENT

BOX NON-FEE AMENDMENT

Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

Sir:

Responsive to the official Restriction Requirement mailed March 8, 2001, in the matter of the above-identified application, applicant responds as follows:

In responding to the Restriction Requirement, applicant hereby elects as a patentably distinct species of the claimed invention the (b) metabolic intermediates of sulfur containing amino acids, and further elects as a species thereof thiotaurine.

In addition, applicant further elects (g) a method of treating environmental stress due to automobile exhaust gases by (i) suppressing ultraweak chemiluminescence from the skin. All claims readable thereon include Claims 17-19 and amended Claims 11 and 12.

As part of this Restriction Requirement, kindly amend Claim 11 as follows:

11. (Amended) The method of claim 17, wherein the liniment further comprises from 0.001 to 1.0 wt% of a hydroxycarboxylic acid

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L. Tuck
4/10/01

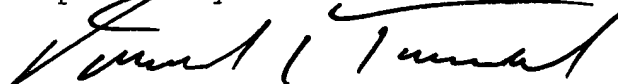
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*Cont'd
B1*

selected from the group consisting of glycolic acid, benzoic acid, tropic acid, lactic acid, malic acid, citric acid, isocitric acid, citramalic acid, tartronic acid, tartaric acid, gluconic acid, galactonic acid, α -hydroxyisobutylic acid, phenyl-lactic acid, muldic acid, atrolactic acid, gluconolactone, galactonolactone, ribonic acid, ribonolactone, pantoic acid, pantolactone, pantothenic acid, α -hydroxybutyric acid, β -hydroxybutyric acid, quinic acid and pyruvic acid, phenylpyruvic acid, methyl pyruvate, ethyl pyruvate, benzoylformic acid, methyl benzoylformate and ethyl benzoylformate.

It is believed that this response constitutes a complete response to the Restriction Requirement. If there is any problem with this response, it is respectfully requested that the Examiner contact the undersigned at the number listed below to resolve any problems.

Respectfully submitted



Donald E. Townsend
Reg. No. 22,069

TOWNSEND & BANTA
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Date: April 4, 2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

1615

IN RE THE APPLICATION OF: M. Egawa, et al.

SERIAL NO.: 09/478,882

FILED: November 23, 1998

TITLE: Composition For External Use For Prevention Of Environmental Stress

THE COMMISSIONER OF PATENTS
AND TRADEMARKS
WASHINGTON, D.C. 20231

SIR:

TRANSMITTED HERewith IS AN ☒ AMENDMENT, ☐ REPLY, ☐ AMENDMENT AFTER FINAL REJECTION IN THE ABOVE-IDENTIFIED APPLICATION.

☐ Small entity status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a verified statement previously submitted.

☐ A verified statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.

☒ No additional fee is required.

THE FEE HAS BEEN CALCULATED AS SHOWN BELOW:

CLAIMS	REMAINING AFTER AMENDMENT		HIGH.# PREV. PAID FOR	PRESENT EXTRA	SMALL ENTITY RATE ADD'L FEE	OTHER THAN A SMALL ENTITY RATE ADD'L FEE
TOTAL	8	MINUS	20	= 0	X9=\$	X18=\$0
INDEP.	2	MINUS	3	= 0	X39=\$	X78=\$0

<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM		+130=\$	+260=\$
	TOTAL ADD'L FEE		-0-

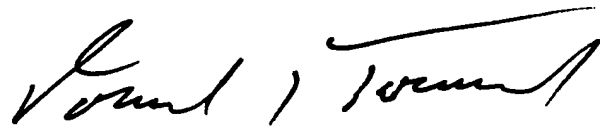
☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 20-1424. A duplicate copy of this sheet is attached.

- ☒ Any additional filing fees under 37 C.F.R. 1.16 for the presentation of extra claims.
☒ Any patent application processing fees under 37 C.F.R. 1.17.
☒ Any extensions of time under 37 C.F.R. 1.17.

☐ Please charge my deposit account No. 20-1424 in the amount of \$

☐ A check in the amount \$ -0- is attached.

Date: June 18, 1999


Donald E. Townsend
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